

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

TRUE THE VOTE, ET AL.

PLAINTIFFS

V.

CIVIL ACTION NO. 3:14cv532-NFA

**THE HONORABLE DELBERT
HOSEMANN, in his official capacity
as Secretary of State for the State
of Mississippi, ET AL.**

DEFENDANTS

**UNOPPOSED MOTION FOR LEAVE TO FILE SUR-REPLY
SUPPORTING OPPOSITION TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTIVE RELIEF**

Defendant Delbert Hosemann, in his official capacity as Secretary of State for the State of Mississippi ("Secretary of State") submits this Unopposed Motion for Leave to file a Sur-reply brief supporting his opposition to plaintiffs' alternatively requested preliminary injunctive relief in their Motion for Temporary Restraining Order [Docket No. 8] and states:

1. At the July 24, 2014 hearing on plaintiffs' motion for preliminary injunction, the Court established a briefing schedule for the parties to submit briefs. The Court indicated defendants should be given the opportunity to file sur-reply briefs, and any such briefs should be filed by August 21, 2014. Tr. 348:14 - 354:17.

2. On August 8, 2014, and consistent with the established schedule,

Secretary Hosemann filed his Response and Supporting Brief. Docket Nos. 92 & 93.

3. On August 15, 2014, and likewise pursuant to the established schedule, plaintiffs' filed their Reply. Docket No. 119.

4. Consistent with the schedule established at the July 24 hearing, Secretary Hosemann requests leave to file the proposed Sur-reply Brief opposing plaintiffs' requested preliminary injunctive relief, affixed hereto as Exhibit "A," consisting of nine pages and a Certificate of Service, and responding directly to arguments included in plaintiffs' Reply.

5. Since the grounds for Secretary Hosemann's requested relief are fully set forth above, he respectfully requests that the Court dispense with the requirement of filing a separate Memorandum of Authorities supporting this motion pursuant to Local Rule 7(b)(4).

FOR THESE REASONS, Secretary Hosemann respectfully requests the Court to enter an order granting leave to file the Sur-reply Brief affixed hereto as Exhibit "A."

THIS the 21st day of August, 2014.

Respectfully submitted,

DELBERT HOSEMAN, in his
official capacity as Secretary of State
for the State of Mississippi

By: JIM HOOD, ATTORNEY GENERAL

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*Counsel for Delbert Hosemann, in his
official capacity as Secretary of State
for the State of Mississippi*

CERTIFICATE OF CONFERENCE

On August 21, 2014, undersigned counsel conferred via electronic mail with counsel for plaintiffs regarding whether plaintiffs oppose Secretary Hosemann's Motion for Leave to File Sur-Reply Supporting his Opposition to Plaintiffs' Motion for Preliminary Injunction and has been advised plaintiffs do not oppose the motion.

S/Harold E. Pizzetta, III
Harold E. Pizzetta, III

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been filed with the Clerk of Court using the Court's ECF system and thereby served on all counsel of record who have entered their appearance in this action to date.

THIS the 21st day of August, 2014.

S/Harold E. Pizzetta, III
Harold E. Pizzetta, III